

Regular Meeting

The regular meeting of the Beacon City Council held at the Municipal Center, One Municipal Plaza on **June 1, 2009** was called to order beginning with the Pledge of Allegiance to the Flag

Council Members Present:

Mayor Steve K. Gold

Casale, Randy – Council Member – Ward Three

Kelly, Charles – Council Member - Ward Two

Thompson, Eleanor – Council Member – At Large- Arrived at 7:25pm

Leake, Deanna – Council Member – Ward One

Pasti, Sara – Council Member – Ward Four

Excused:

Fredericks, Marlene – Council Member – At Large

Also Present:

City Administrator – Meredith Robson

City Attorney – Richard Wolf

Media Represented by:

Goldie Green – Beacon Free Press

Residents at Beginning of Meeting:

30

First Opportunity for Public Comments: Pertaining to any, item Maximum time for this section is thirty minutes. Maximum time for individual public comment is three minutes.

Mayor Steve Gold – Since there is no dialogue during Public Comments, the Mayor stated that if there is issues that need to be addressed that he would do so at the following meeting.

Last week an individual made a public statement regarding the Recreation Department and I would like to clarify some of those statements.

It is important that people remember the 2009 budget and the challenges it represented for the City Council. In order to keep taxes from going into double digits we were compelled to reduce recreation spending to leagues by half and require all city programs to be self funded with the exception of the pool. The council realizes that these measures would cause pain for many residents but it would have been worse for the entire city to have higher taxes. In these times we all have to sacrifice.

I am pleased to announce that the recreational sports leagues stepped up to the plate and accepted the situation with grace. Also the City Administration is adhering to the self- funding directive (which means that city programs should pay for themselves by charging fees).

I am also very pleased to announce that the city has received \$4,450.00 of the \$5,000 needed for the fireworks display. The display will take place on Saturday June 27, 2009.

One of the programs the City Council had to change was the summer drop-off camp. It was formerly funded by the County which led to a budgetary deficit of more than 20,000 for councilor fees. To maintain the Council's budget and guideline to have all city programs self funded, we needed to charge parents fees for the first time. The Council would rather not have taken that step but in order to keep the tax increase for 2009 as low as possible, we had no other choice. The program is open to children age 6 - 12. Activities include arts & crafts, bingo,

organized sports and much more. Counselors will be on duty from 10:00am to 3:00pm Monday, Wednesday, and Friday weather permitting. On rainy days the park program will be closed. The cost is \$10 a day.

The budget the city council approved last December contained the decision to keep the pool open in spite of the large 45,000 expense. We had many discussions about this. Since half the cost to operate the pool comes from lifeguard salaries, the Council compromised by reducing the hours of pool operation by half. That measure saved 10,000. Unfortunately fewer hours means less time for the general public. Furthermore, the Council placed a greater priority on recuperating the high cost of running the pool by accommodating higher paying summer camps. As a result the hours of operation for the general public are reduced. The hours of operation we have established is in keeping with the budget. This council agrees that the hours of operation of the pool is far too short of what we want for our children. But the alternative was to close the pool or pass a higher tax onto all of our residents.

The individual who made the public statements about the recreation department also criticized the city for our roads and playground fences being in disrepair. Again, the cost to repair roads is in the millions of dollars. We are repairing roads but very few at a time because to do any more would increase taxes by more than 10%. Additionally the Council decided not to proceed with fence repairs at this time because of the approximate \$15,000 cost it would have on the budget. Lastly the same speaker said and I quote: "Recreation does not look at residents and see them as people"... she went on to say "It is time for Recreation to realize they are here for the people" I will defend the Recreation Department right now. These statements are insulting to the members of our recreation department and the worst kind of hyperbole. They are irresponsible and false. One look at the city's website will show the many programs our recreation department offers. The Council would certainly like to offer more programs and we intend to try to make that happen as long as there is no additional cost to the city. But the speaker should not place blame on the Recreation Department for budgetary problems nor should the speaker be as rude and fallacious as to say they don't look at residents as people.

This brings me to the next topic.

Public Comments. This Council has made a special effort to promote open government and to permit public access. But now that it is the political season there is a distinct possibility that the purpose of Public Comments may be abused. While I do not want to stifle public comments, I do not intend to let the public comment periods be used for political campaigns; therefore I am going to fine tune what is acceptable as the Public Comments.

Public comments should pertain to issues that are within the control of the City Council or the city administration. Comments should address the City Council and not be a statement for the public. They are not to be used as a platform to attack another elected official either here in Beacon or representing Beacon.

To the candidates listening, a guideline for speaking is if your comment can be made into an action item for the Administration or the City Council it is probably alright to say. Another way

to describe this is "are your comments intended for the city council or for the public?" The answer should be, for the City Council.

If a member of the city council thinks that a speaker is breaking any of our rules of conduct for public comments, he or she can ask the Mayor to halt the speaker. At that point the Mayor will ask the city attorney if the rules are being violated.

This is just fine tuning our Public Comment Segments and residents should be bringing issues to the Council and that these issues should be issues that either the City Council or Administration can act upon.

Clark Gebman – 2 Wilson Street – To the City Council, I think we can lower taxes and be more efficient. Mr. Gebman brought up Hiddenbrooke purchase and voiced his opinion that the Council should have informed the citizens of Beacon regarding the purchasing of the Hiddenbrooke property. Mr Gebman felt that the City could have avoided lawsuits and paying attorney fees.

Lou Amoroso – 40 Vail Avenue – Twenty days ago submitted a paper regarding information of 5 Churchill Street. Mr. Amoroso found out how much it will cost the city to complete the project of this property. He reported that all of the invoices are not available. The job is done, grass is planted. Main concern was that there was City Equipment on private property, and does not have a right away. Mr. Amoroso believes 5 Churchill Street is in a flood zone.

Howard Wessel – Kent Street - Three weeks ago sent an email to the Police Chief with a carbon copy to the Mayor, regarding an incident that occurred on May 30, 2009. Have yet to receive a response to these emails. What is the policy for elected political figures to respond to citizens emails? *Mayor Steve K. Gold told Mr. Wessel that someone will get back to him.*

Dennis Pavelock – 34 Judson Street – Would like to voice this opinion on the person that will be filling in for the City Administrator, while Ms. Robson takes a leave of absence. *Mayor Steve K. Gold, stated that there has been no one selected as of yet.* The residents have not been involved with the decision, and took it upon himself to submit a petition. *Again, Mayor Steve K. Gold stated that there has been no decision as of yet.* Would like the person placed in that position, to have Administrative only, without any increase in pay, and would like the Mayor to make that financial decision for the City of Beacon Petition submitted stating – We the City of Beacon residents are against the hiring of anyone who does not have the qualifications of City Administrator as per the Beacon Charter. In addition, I would like to praise our fire/police department as on Friday Beacon High School had a mock drill, it was professional done.

Gary Wood – 110 Anderson Street – With regards to non-homestead tax payers, where we were illegal charged 8 ½ % too much over the last twelve years. I was told I had to fill out a landlord registration form, which was actually due last December. This form was to be filled out returned to the City with a rental permit of \$75.00. Make note that I paid for building permits ten years ago, which was paid and I received certificate of occupancy for. Over the twelve years the taxes on my commercial property have increased over five hundred percent. Some members on the Council have increased their salary by 300%, and we as tax payers get less and less for our tax dollars. During this time the Dutchess County Enhanced Program 911 where my address

changed from 110 Anderson to 110 Overlook. My house is totally situated on Anderson Street, which I was forced to prove with documentation. My tax bill still comes to 110 Overlook Avenue, this is after ten years of phone calls, emails and other types of communications. To summarize the red tape and bureaucracy ends up being a burden on the taxpayers, after the public sector screws things up.

Pat Malouf – 43 Main Street – Is in support with Mr. Wood regarding the non-homestead tax, and that the Council has not given any plans on how to rectify this situation.

Dennis Maroney 439 Fishkill Avenue – With Regards to the Noise Ordinance and the measurement of decibels levels, for eleven years I thought that was the greatest thing in the world. This will be discussed again at the next workshop of June 8th. I do like the fact that you will have the police enforcing it and hope that it is uniformed across the City, and that you go by the State Laws from point A to point B with the ordinance, which I totally agree on.

Cindy Trimble – 20 Mackin Avenue – Request that the Beacon City Council provide an entire copy (cover to cover) of the Lease Agreement with Clearwater and the City of Beacon, PRIOR to the Public Hearing, so the residents are well informed. It's my understanding that we are looking at ten years plus five years, plus another five years, totally twenty years. This lease has a direct effect on the taxpayers for a very long period of time.

Public Hearings: None

Community Segment: **Mark Price** from the City of Beacon Recreation Department, at the request of the Council and the Mayor, I will speak about the offerings of our department to the citizens of Beacon and the scope of what the Recreation Department does:

Senior Programming

Senior Bowling
Senior Fine Art \$60.00 10 week session

Mens Over 35 Basketball
Mens Over 35 Softball, TBD
Womens Softball, TBD

Youth Programming June 29- August 14

Youth Bowling
Memorial Park Playground Days \$30 week
Kids on the Go, age 6-12 \$30 & \$10 per trip
Green Street Playground Days
Kids on the Go, age 6-12
Tennis Clinic, age 9-18 \$40
Beacon Summer Hoops Basketball, age 6-18 \$50 8 weeks
US Sport Institute Multisport Camp , age 5-14 \$89-\$169
Soccer Camp, TBD

Community Programming

Easter Egg Hunt and Raffle
Christmas Tree Lighting & Visit from Santa
Fourth of July Fireworks, TBD
City Wide Yard Sale
In the Key of Beacon concerts, TBD
Halloween Parade, partnered with BBA

Partner organizations offering youth programming in Beacon

[Beacon Community Center](#)

Beacon Girls Softball
Beacon Junior Baseball Leagues
[Beacon Pop Warner Football](#)
[Beacon Soccer Club](#)
Martin Luther King Cultural Center

Adult programming

Women's Volleyball
Learn to Kayak \$199
Jazzercise 8 week \$76

[The Riverpool in Riverfront Park](#)
[Wee Play Project at Memorial Park](#)

Facilities

Memorial Park located on Wilkes Street

South Avenue Park located on South Avenue

Riverfront Park located on Red Flynn Drive

Flannery Park located on Green Street

Hiddenbrooke Property located on Depuyster Avenue

University Settlement Camp and Pool located on Wolcott Avenue

Facilities available within our parks include:

three softball fields

three baseball fields

one football field

one soccer field

two tennis courts

three basketball courts

three playgrounds

two picnic pavilions

several picnic areas

walking paths

Communication / All Reports from Mayor and Council Members Located at the end of the Minutes

Public Comments Pertaining to This Agenda Only: Up to Five Minutes per Person

Clark Gebman – 2 Wilson Street – Wished Councilwomen Thompson back. Long Dock Public Hearing the Monday after the fourth of July, is hardly the time where the public attention is captured.

Ray Fusco - Congratulation to Beacon Recreation for all their efforts. I played Santa this year at the Christmas Party and enjoyed it immensely. To make some clarification, the fleet will be leaving Nyack at 10 stopping at Haverstraw and should be in Beacon by 6pm. There is Public Hearing on June 3rd regarding the University Settlement Camp, the City has hired a wonderful consultant firm called Fairweather Chazen.

UNFINISHED BUSINESS

Resolutions:

Local Laws and Ordinances

NEW BUSINESS

Resolutions:

Resolution 89 of 2009 Authorizing Mayor To Execute Agreement With River Pool

WHEREAS, River Pool at Beacon, Inc. (“River Pool”) operates a public floating wading pool which provides recreational benefits to the City of Beacon (“City”) residents and others, and

WHEREAS, the City Council has reviewed the terms of an Agreement between River Pool and the City for 2009 and finds the Agreement to be satisfactory and in compliance with law.

NOW THEREFORE BE IT RESOLVED, that the Mayor of the City of Beacon is authorized to execute the above-described Agreement with River Pool on behalf of the City of Beacon.

**AGREEMENT BETWEEN
CITY OF BEACON
AND
RIVER POOL AT BEACON. INC.**

This agreement is made on June 2, 2009 by and between the City of Beacon ("City"), with an address at One Municipal Plaza, Suite 1, Beacon, New York 12508 and River Pool at Beacon, Inc., ("River Pool") a 501c3 non-profit organization with an address at PO Box 173, Beacon, New York 12508, to operate a public floating wading pool located off Riverfront Park in Beacon New York in 2009.

RIVER POOL AT BEACON, INC., agrees to

- (a) obtain and comply with all permits related to constructing, installing, and operating the floating pool,
- (b) provide to City an approved Written Safety Plan required by the Dutchess County Department of Health for the operation of the floating pool prior to commencing operations.
- (c) perform any repairs or modifications to the floating pool at River Pool's expense.
- (d) name City of Beacon as "additional insured" on the River Pool liability insurance and provide the City with a copy of insurance certificate.

THE CITY OF BEACON NEW YORK, agrees to

- (a) provide assistance with installing and removing the pool.

This agreement is effective June 2, 2009 through September 30, 2009.

Date: June 2, 2009

Date: June 2, 2009

Cynthia Cowden, President
River Pool at Beacon, Inc.

Steve K. Gold, Mayor
City of Beacon, New York

Motion to Authorizing Mayor to Execute Agreement with River Pool by Council Member Thompson, Second by Council Member Leake.

Comments:

Council Member Kelly stated that he would like everyone to take advantage of this which is one of the great assets we have in the Hudson River. With the USC pool hours decreased due to budget constraints this gives our youth to enjoy the Hudson River.

Mayor Steve K. Gold took the time to thank Cindy Cowden and the other members for making the River pool a reality. It received attention in the New York Times. As of now it is for young folks, but they are looking into expanding this pool. It was Pete Seeger dream to swim again in the Hudson River. The water is checked weekly and thus far has always checked out fine.

All present voted in favor. Resolution Adopted

RESOLUTION NO. 90 of 2009 Authorizing The City Of Beacon To Enter Into An Amendment To The Existing Cooperation Agreement Dated June 29, 2000 As Amended, With The County Of Dutchess For The Purpose Of Undertaking Community Development And Home Programs For The Program Year Commencing Federal Fiscal Years 2010-2012(And Successive Three-Year Qualification Periods) Pursuant To Title I Of The Housing And Community Development Act Of 1974, As Amended, And The Home Investment Partnerships Program Of Title LI Of The National Affordable Housing Act Of 1990

WHEREAS, the Secretary of Housing and Urban Development of the United States is authorized, under Title I of the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnership Program of Title II of the National Affordable Housing Act of 1990, to make grants to states and other units of general local government to help finance Community Development Programs, and

WHEREAS, it is desirable and in the public interest that the CITY OF BEACON participate in aforesaid Community Development and HOME Programs for the program year commencing Federal Fiscal Years 2010-2012, (and successive three-year qualification period); and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the Federal government, either directly or through the state, pursuant to the provisions of any Federal law which is not inconsistent with the statutes or constitution of this State, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation, and

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnerships Program of Title II of the National Affordable Housing Act of 1990, and any "Eligible Activities" thereunder are not inconsistent with the statutes or constitution of the State, and

WHEREAS, the CITY OF BEACON shall take all required actions to comply with the Urban County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974 as amended, and with the provisions of the National Environmental Policy Act of 1969, Title VI of Civil Rights Act of 1964, prohibits discrimination because of race, color or national origin under any program or activity receiving Federal financial assistance, Title VIII of the Civil Rights Act of 1968, Executive Order 11988, Section 109 of Title I of the Housing and Community Development Act of 1974, the Fair Housing Act, the Americans with Disability Act of 1990 Uniform Relocation Act, Sec. 504 of the Rehabilitation Act of 1973, and other applicable laws.

Further, Urban County funding is specifically prohibited for activities in, or in support of, any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction, or that impedes that County's action to comply with its fair housing certification.

WHEREAS the CITY OF BEACON as a cooperating unit of local government has adopted and is enforcing:

- A. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- B. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

WHEREAS, participation by the County of Dutchess as an Urban County in the Community Development and HOME Programs requires that the Municipality of the CITY OF BEACON, and the County of Dutchess cooperate in undertaking, and assist in undertaking, essential community development and housing activities, specifically those activities authorized by statutes enacted pursuant to Article 9 and 17 of the New York Constitution, and

WHEREAS, the County and the CITY OF BEACON will cooperate in developing Community Development and Affordable Housing Programs and applications for the Community Development Block Grant Entitlement Program and the HOME Investment Partnership ("HOME Program") which will be designed primarily for the purpose of meeting the priority needs and objectives of the participating localities based upon an inventory of the community development and housing needs developed mutually by local and County officials;

WHEREAS, the Board deems it to be in the public interest for the Municipality of the CITY OF BEACON to enter into a Cooperation Agreement Amendment with the County of Dutchess for the aforesaid purposes, now, therefore, be it

RESOLVED, that Mayor Steve K. Gold be and hereby is authorized to execute a Cooperation Agreement Amendment between the Municipality of the CITY OF BEACON and the County of

Dutchess for the purposes of undertaking a Community Development Program pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnerships Program of Title II of the National Affordable Housing Act of 1990, for the program year commencing Federal Fiscal Years 2010-2012 (and successive three-year qualification periods).

**AMENDMENT TO URBAN COUNTY COOPERATION AGREEMENT
CITY OF BEACON**

It is hereby agreed between the County of Dutchess, one of the counties of the State of New York, having its principal offices at 22 Market Street, Poughkeepsie, NY, 12601 (hereafter referred to as "COUNTY") and the CITY OF BEACON, (hereafter referred to as ("CITY")), to amend the Cooperation Agreement County Contract Number 00-0403-PL, dated June 29, 2000, as amended, (Amendment to Urban County Cooperation Agreement County Contract Number 00-0403-PL-A2, dated July 10, 2006), as follows:

1. All references to the CITY OF BEACON participation in the Urban County Program for the qualification period "fiscal years 2007, 2008 and 2009, shall be amended to the qualification period fiscal years 2010, 2011 and 2012, (and successive three year qualification periods as provided in Paragraph 1 of the agreement)"

In all other respects, the provisions of the prior Cooperation Agreement dated June 29, 2000 as amended, shall remain in full force and effect shall be binding upon the parties referred to above. IN WITNESS WHEREOF, the parties hereto have executed this Amendment to Agreement as of this day of , 2009.

Motion to Authorize The City Of Beacon To Enter Into An Amendment To The Existing Cooperation Agreement Dated June 29, 2000 As Amended, With The County Of Dutchess For The Purpose Of Undertaking Community Development And Home Programs For The Program Year Commencing Federal Fiscal Years 2010-2012 (And Successive Three-Year Qualification Periods) Pursuant To Title I Of The Housing And Community Development Act Of 1974, As Amended, And The Home Investment Partnerships Program Of Title LI Of The National Affordable Housing Act Of 1990, by Council Member Casale, Second by Council Member Pasti.

Council Member Thompson stated that she feels that the City of Beacon does not get their fair share of money. Mayor Gold explained to Ms. Thompson that you opt in as an entitlement city or you bid. What we found out is that their other communities that have only got seven hundred to eight hundred thousand dollars, we are opting in now as it would take a lot of research to go the other route

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks – Excused, and Mayor Steve Gold – Yes. Yes = Five, One = Excused

RESOLUTION 91 OF 2009 Adopting SEQRA Findings Statement Regarding Long Dock Beacon Proposed Development In The Waterfront Development (WD) Zoning District

WHEREAS, the proposed action includes the construction of a 212,642 square foot hotel and conference center surrounded by a 16-acre park; and

WHEREAS, on May 12, 1998, the Beacon Planning Board confirmed its status as Lead Agency in accordance with the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board has processed this project in accordance with SEQRA including but not limited to the following actions; and

WHEREAS, on May 12, 1998 the Planning Board issued a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement (DEIS); and

WHEREAS, on August 9, 2005, the Planning Board accepted a DEIS as complete for the purpose of circulation, public review and comment; and

WHEREAS, on September 9, 2008, the Planning Board accepted a Final Environmental Impact Statement (FEIS) as complete and circulated same; and

WHEREAS, on May 12, 2009, the Planning Board as Lead Agency, adopted a Findings Statement and thereafter filed same with all of the Involved and Interested Agencies and other parties as required by law, thereby completing the SEQRA process relative to future Planning Board decisions on the project; and

WHEREAS, the Beacon City Council is an Involved Agency by virtue of the approvals for the project which it is entertaining; and

WHEREAS, the SEQRA regulations require that each Involved Agency adopt a SEQRA Findings Statement; and

WHEREAS, the City Council has been reviewing the SEQRA Findings Statement dated May 15, 2009 and is thoroughly familiar with same.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts the SEQRA Findings Statement dated May 15, 2009 for the subject project, and authorizes the filing of said Findings Statement with all of the Involved and Interested Agencies and other parties as required by law.

Motion to Adopt the SEQRA Findings Statement Regarding Long Dock Beacon Proposed Development In The Waterfront Development (WD) Zoning District Pool by Council Member Pasti, Second by Council Member Leake.

All Present Voted in Favor

RESOLUTION 92 OF 2009 RECONVENING PUBLIC HEARINGS AND REFERRING THE LONG DOCK BEACON PROPOSED DEVELOPMENT FOR ADVISORY OPINIONS – SET PUBLIC HEARING FOR MONDAY, JULY 6, 2009

To: Mayor Steve K. Gold and the Beacon City Council

Date: May 21, 2009

Subject: **Long Dock at Beacon Project**

The purpose of this memorandum is to provide the City Council with a status and process report regarding the Long Dock at Beacon project.

Status

As you are aware, the Long Dock hotel and conference center proposal has been delayed for financial reasons. However, the project sponsors are still seeking all of the outstanding approvals and zoning amendments from the City for the “overall” project, even though only the 16-park is proposed to be developed at this time.

City Council Approvals and Zoning Amendments

The following is a list of the City Council approvals and zoning amendments related to this project:

- Zoning Text Amendments
- Waterfront Development Concept Plan Approval
- Special Use Permit Approval
- Local Waterfront Revitalization Program (LWRP) Consistency Determination
- Dutchess County Industrial Development Agency Agreements

At its October 20, 2008 City Council meeting, the Council opened public hearings on the proposed zoning text amendments to the Waterfront Development (WD) District, Special Use Permit Approval, the Waterfront Development Concept Plan Approval and the LWRP Consistency Determination for this project. The public hearings were adjourned for each of these items.

Planning Board Approvals

The City of Beacon Planning Board, as Lead Agency, adopted its SEQRA Findings Statement at its May 12, 2009 meeting. This written Findings Statement was then distributed to all Involved and Interested Agencies, including the City Council. Discussion of the Planning Board's recommendations to the City Council with respect to the Special Use Permit and Waterfront Development Concept Plan Approvals is scheduled for the Board's June 9, 2009 meeting.

The remaining Planning Board approvals and determinations are as follows:

- Special Use Permit Recommendation
- Site Development Plan Approval
- Subdivision Approval
- Alternative Parking Methods Determination

Process

At the next City Council meeting on May 26, 2009, I look forward to discussing the process and timing for this project with you. This includes the possibility of the Council doing the following at its regular meeting on June 1:

- Scheduling the reconvening of the public hearing on the proposed zoning text amendments.
- Scheduling the reconvening of the public hearings on the Waterfront Development Concept Plan, Special Use Permit and LWRP Consistency Determination.
- Referral of the Waterfront Development Concept Plan and Special Use Permit to the Dutchess County Department of Planning.
- Adoption of the City Council's SEQRA Findings Statement.

I look forward to discussing these matters with you.

David H. Stolman, AICP, PP, President

WHEREAS, the proposed action includes the construction of a 212,642 square foot hotel and conference center surrounded by a 16-acre park; and

WHEREAS, the hotel and conference center proposal has been delayed for financial reasons; and

WHEREAS, at its October 20, 2008 City Council meeting, the Council opened public hearings on the proposed zoning text amendments to the Waterfront Development (WD) District in connection with this project, as well as on the Special Use Permit Approval, the Waterfront Development Concept Plan Approval and the Local Waterfront Revitalization Program (LWRP)

Consistency Determination for this project, and said public hearings were adjourned for each of these items on said date; and

WHEREAS, the project sponsors are currently seeking all of the outstanding approvals and zoning text amendments from the City for the “overall” project, even though only the 16-park is proposed to be developed at this time; and

WHEREAS, the City Council seeks to reconvene said public hearings and to make necessary referrals of the Waterfront Development Concept Plan and Special Use Permit applications for advisory opinions as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby schedules the following public hearings and authorizes the following referrals of the subject applications as required by law:

1. The reconvening of the public hearing on the proposed Waterfront Development (WD) District zoning text amendments for ____ PM on _____, 2009.
2. The reconvening of the public hearings on the Waterfront Development Concept Plan, Special Use Permit and LWRP Consistency Determination for ____ PM on _____, 2009.
3. Referral of the Waterfront Development Concept Plan and Special Use Permit to the Dutchess County Department of Planning and Development in accordance with the Zoning Law and/or Sections 239-l and m of the New York State General Municipal Law.

Motion to Reconvening Public Hearings And Referring The Long Dock Beacon Proposed Development For Advisory Opinions – **Set Public Hearing For Monday, July 6, 2009** by Council Member Leake, Second by Council Member Pasti.

Comments: Council Member Casale suggested having this Public Hearing on another date besides having it on the Monday after July 4, 2009. Mayor Steve K. Gold stated that the Council is having a meeting, and if anyone has any comments and will not be available that evening they are more than welcome to submit their comments in writing. Council Member Leake and Thompson both agreed that in prior years the Council did not vote on something because it was after a holiday weekend.

All Present Voted in Favor

RESOLUTION 93A 2009 ADD TO AGENDA - RESOLUTION DESIGNATING THE PROPOSED WATER LEAK DETECTION SYSTEM PROJECT A TYPE II ACTION UNDER SEQR

Motion **Add To Agenda** - Resolution Designating The Proposed Water Leak Detection System Project A Type II Action Under SEQR by Council Member Pasti, Second by Council Member Thompson.

All Present Voted in Favor

RESOLUTION 93B 2009 RESOLUTION DESIGNATING THE PROPOSED WATER LEAK DETECTION SYSTEM PROJECT A TYPE II ACTION UNDER SEQR

WHEREAS, the New York State Environmental Facilities Corporation is accepting applications for funding under the Green Innovation Grant Program; and

WHEREAS, the City Council of the City of Beacon on May 18, 2009 authorized the submission of an application for a Green Innovation Grant Program grant to purchase and install leak detection equipment to monitor the City's water mains; and

WHEREAS, the Environmental Facilities Corporation requires that the City classify the proposed project in accordance with SEQR and document the type of action;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon designates the purchase and installation of leak detection equipment in the City's water mains as a Type II action under SEQR law, section 617.5, subdivision (c) (18), which stipulates that these types of actions are not subject to review since they have been determined not to have a significant impact on the environment.

City Administrator Meredith Robson explained that this is for monitoring stations along the water lines that would enable our staff to remotely detect any leaks in the line.

Motion Designating The Proposed Water Leak Detection System Project A Type II Action Under SEQR by Council Member Casale, Second by Council Member Leake.

All Present Voted in Favor

Local Laws and Ordinances:

RESOLUTION NO. 94 OF 2009 - FIRST READING – SET PUBLIC HEARING FOR MONDAY, JUNE 15, 2009 PROPOSED LOCAL LAW ADDING SECTION 3.01 TO THE POWERS AND DUTIES OF THE MAYOR TO APPOINT AN ACTING CITY ADMINISTRATOR

BE IT ENACTED by the City Council of City of Beacon as follows:

Suggested Addition:

The Acting City Administrator shall be qualified with a baccalaureate degree from an accredited college or university **or** at least one (1) year's special training in public administration and finance **or** by at least three (3) years' successful experience in a responsible executive position in

governmental administration, or by any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration.

If the Acting Administrator **is expected to or does perform in that capacity for more than three months** than the qualifications shall be a baccalaureate degree from an accredited college or university **and** at least one (1) year's special training in public administration and finance **and** by at least three (3) consecutive years' successful experience in a responsible executive position in governmental administration, or by any equivalent training or combination of experience and training sufficient to indicate capacity for effective governmental administration.

Note: the difference between the two is the word “or” is used if less than three months while “and” is used for more than three months (identical to the existing Administrator’s qualifications).

Section 1. Title.

This Local Law shall be entitled “A Local Law Adding City Charter Section 3.01 to the Powers and Duties of Mayor to Appoint an Acting City Administrator.”

Section 2. Intent and Purpose.

The City Council recognizes there may be occasions where it is necessary to appoint an Acting City Administrator in order to provide for the orderly conduct of the City of Beacon governmental business and activities.

Section 3.

The City Council hereby creates the position of Acting City Administrator who may be appointed by the Mayor, subject to Council approval, whenever the Mayor determines that:

- A. The City Administrator is medically unable to perform his or her duties full-time;
- B. The City Administrator is or will be on a leave or absence or vacation for more than five days;
- C. The City Administrator is prevented by an emergency from carrying out his or her duties.
- D. The City Administrator has resigned or is terminated.

Section 4.

Upon determination by the Mayor of the existence of any of the events set forth in Section 3, the Mayor’s appointment of the Acting City Administrator shall commence on a date designated by the Mayor. The Acting City Administrator shall have all the powers and perform all the duties of the City Administrator during any period of the City Administrator’s absence.

Section 5.

The Acting Administrator shall terminate upon the City Administrator’s resumption of his or her duties full time.

Section 6.

The Acting City Administrator’s compensation shall be determined by the Mayor, subject to Council approval.

Section 7.

The Mayor or the Council may require certification from a medical doctor that the City Administrator is able to resume full time duties where the City Administrator's absence is due to medical reasons.

Section 8.

The Acting City Administrator's term of appointment shall not exceed six (6) months unless reappointed by the Mayor and approved by the Council and prior to the expiration of the six (6) month period.

Section 9.

An appointment of an Acting City Administrator shall be made no later than 60 days after any of the events set forth in Section 3 occur as may be determined by the Mayor.

Section 10. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

Motion Set Public Hearing For Monday, June 15, 2009 Proposed Local Law Adding Section 3.01 To The Powers And Duties Of The Mayor To Appoint An Acting City Administrator by Council Member Thompson, Second by Council Member Pasti.

Comments: Mayor Steve K. Gold stated that there have been issues regarding qualification being brought up by Council Member Thompson at a previous Council Meeting. We did address that by stating for a period of less than three months and greater than three months which would be the same qualifications as the present City Administrator. Less than three months would be a series of or's instead of a series of and's. The Mayor suggested adding the word consecutive (three consecutive months). Section Eight, it is insufficient for the Mayor to reappoint, this has to be by the Council approval as well. In addition in section four DELETE the acting administrator shall have experience in governmental administration. Council Member Casale suggested posting this on the website. Mr. Pavelock petition reads "We the residents of the City of Beacon are against the hiring of anyone who does not have the qualifications of the City Administrator, as per the City of Beacon Charter.

All Present Voted in Favor

RESOLUTION NO. 95 OF 2009 TO SET PUBLIC HEARING FOR MONDAY, JULY 6, 2009 REGARDING LOCAL LAW REGARDING ZONING TEXT AMENDMENTS TO THE WATERFRONT DEVELOPMENT (WD) DISTRICT IN CONNECTION WITH THE LONG DOCK BEACON PROJECT

BE IT ENACTED by the City Council of the City of Beacon as follows:

SECTION 1. TITLE

This local law shall be entitled, "A Local Regarding Zoning Text Amendments to the Waterfront Development (WD) District in Connection with the Long Dock Beacon Project."

SECTION 2. INTENT AND PURPOSE

The City Council has received an application for proposed zoning text amendments to the Waterfront Development District in connection with the Long Dock Beacon project. These zoning text amendments pertain to the bulk regulations pertaining to the WD District, and to the permitted uses in said district. The City Council finds the proposed zoning text amendments to be reasonable and appropriate modifications to the WD District.

SECTION 3. ZONING TEXT AMENDMENTS

1. Section 223-41.7 of the Zoning Law shall be amended to read as follows:

§ 223-41.7 Bulk regulations applicable to Waterfront Development Zone.

- A. Minimum size of overall waterfront development site: 15 acres of gross development area. Note: The owner of less than 15 acres of gross development area within the WD Zone may apply for approval of a waterfront development project as part of the overall waterfront development, where such land is adjacent to a proposed, approved or constructed waterfront development project. Similarly, the owner of a WD-zoned acreage which adjoins such adjacent land may also apply for approval of a waterfront development project as part of the overall waterfront development.
- B. Maximum building coverage: 35%.
- C. Maximum floor area ratio of gross development area, including residential and all other uses): 0.8.
- D. Minimum building setback from mean high water: 10 feet. Note: Except for buildings or portions thereof elevated above mean high water by piers or located within the required setback from mean high water as a result of creation of new river, but not to exceed 15% of the total footprint of all buildings.
- E. Maximum building height: 2-½ stories/35 feet. Note: All habitable stories must be elevated above the one-hundred-year floodplain. The area below the elevated first habitable story may, but need not, be used for parking. When story heights are provided in these regulations, they are deemed to be habitable or occupiable stories over a parking level or as otherwise elevated above the one-hundred-year floodplain. A basement level used only for parking and not used for dwelling or business purposes shall not be counted as a story. Height may be increased up to 75 feet and up to six stories, provided that such buildings are set back at least five

additional feet from mean high water for each one-foot increase in height. Except for buildings or portions thereof elevated above mean high water by piers, or located within the required setback area from mean high water as a result of creation of new river, the height of which shall not exceed 60 feet or four stories.

- F. Minimum gross development area per dwelling unit: Note: This shall be calculated by dividing the gross development area by the number of residential units in the waterfront development. 2,200 square feet.
 - G. Minimum frontage of overall waterfront development site on public right-of-way: 50 feet.
2. Section 223-41.B(2)(j) of the Zoning Law shall be amended to read as follows:
- (j) Professional or small business offices ~~on the second floor~~ in ~~retail~~ mixed-use buildings, and not to exceed 20% of the total floor area in ~~retail~~ mixed-use buildings.

SECTION 4. RATIFICATION, READOPTION AND CONFIRMATION

Except as specifically modified by the Amendments contained herein, the Zoning Law of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

SECTION 5. SEPARABILITY

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

SECTION 6. EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption and filing with the Secretary of State as provided by the Municipal Home Rule Law.

Motion To Set Public Hearing For Monday, July 6, 2009 Regarding Local Law Regarding Zoning Text Amendments To The Waterfront Development (WD) District In Connection With The Long Dock Beacon Project by Council Member Kelly, Second by Council Member Pasti.

Comments: Mayor Steve K. Gold stated that this would be discussed in detail with our City Planner, David Stolman the workshop PRIOR to the Public Hearing.

All Present voted in Favor

RATIFICATIONS / APPOINTMENTS

COMMUNICATIONS:

Date: May 20, 2009 – Metro North – Howard Permut
RE: New Station

MTA Metro-North Railroad is proud to announce the opening of our new station: Yankees-E.153RD Street. This station represents our continued commitment and contribution to the revitalization of the Bronx and our ongoing partnership efforts with the City of New York.

Yankees-E. 153rd Street Station will be a regular year round local stop on the Hudson Line, with the same frequency of service as all Bronx local stops — hourly service in the off-peaks and about every 20 minutes during the peaks. The station also features reasonably priced commuter parking facility with easy access from the Major Deegan (I-87) and is only a 15 minute ride to/from Grand Central Terminal. Please see our regular Hudson Line schedule for details.

Our Harlem and New Haven Line customers can enjoy direct service for weekend and holiday games. There will also be some direct return service for weeknight games. At other times, Harlem and New Haven Line customers can transfer to Hudson Line trains or use our special game day shuttles running from Grand Central Terminal and Harlem-125th Street Station. Please see our special game day schedules for details.

For your convenience, enclosed are copies of both timetables or go to our website, www.mta.info for more schedule and station information. If you would like additional timetables, please contact Mae Patel in my office at 212-340-3027.

Date: May, 2009 – Resident Charles Dunn
RE: Traveling 9D North - Hazard

On Thursday, May 14, I was nearly involved in an automobile accident with a Mazda MPV LX on Route 9D. I am bringing this to your attention (and the attention of those persons/agencies noted at the end of this letter) because it involves a situation that has been present for a long time and is getting worse.

As you know, northbound 9D becomes a two-lane highway after it intersects with Barrett Place. The left lane is clearly identified as being the exclusive lane for I 84/Route 52 westbound

crossing the Newburgh-Beacon Bridge. The right lane is clearly identified as being the exclusive lane for 9D northbound.

The problem that concerns me and is a safety issue for motorists traveling on 9D northbound occurs every weekday afternoon and evening after a northbound MetroNorth train discharges its passengers at the Beacon station. Once drivers turn left onto 9D from Beekman St. and clear the light at Verplanck Ave., they have two options: move to the left lane to get onto the bridge, or stay in the right lane to continue northbound on 9D.

I have to admit that most of the Orange County-bound drivers obey the law and move to the left lane. But there are an inordinate amount of drivers who know that they can beat the system. They run the right lane past Rock Hill and Van Ness until they see (or simply want to see) an opening, at which point they cut in front of a driver in the left lane. What this does is save them time from sitting in traffic, waiting for the lights to change (and, I admit, the line of cars can be very long). It also causes law-abiding drivers to slam on their brakes to avoid hitting them. (Ironically, the woman driving the Mazda yelled through her open window at me that I was crazy because I didn't let her in and that I almost caused an accident!!!)

Something must be done with a coordinated effort of all of the involved agencies and resources so that accidents and road-rage situations are eliminated. An increase in police presence (in marked and unmarked cars) is a quick but temporary solution. The use of rubber, semi-permanent lane-dividing stanchions (similar to the ones used in the Lincoln and Holland Tunnels) may be feasible. Security cameras at the corners of Barrett, Rock Hill and Van Ness would immediately identify those who have little regard for the safety and well-being of the other drivers.

I am personally very angry at this entire situation. As a resident of Beacon for almost 41 years, I have watched our struggling community bounce back from a very bleak past because of the belief that its people have in this city. We, the people of Beacon, are very proud of what we, the people of Beacon, have done to make this community what it is. Unfortunately, every weekday afternoon we are forced to give up one of our main thoroughfares to people from other counties who clog our intersections, befoul our air and make the pleasant experience of driving extremely difficult and dangerous.

I do hope that some solution to what I have described can be reached in the near future.

REPORTS:

Council Member Thompson:

Good Evening:

It's refreshing to see more and more Beacon residents coming out to meetings. I am always glad to see you whether we agree or not on issues. Your presence tells me that you are truly interested in a positive quality of life for you and your neighbors.

We were to have the signing of the lease for University Settlement Camp tonight, but that signing has been delayed until another time. I am glad that we are not voting on it tonight because many of you over the last week have called about the contents of that lease and thought that you had the right to see it and voice your opinions about it. As Thomas Jefferson said, "whenever the people are well-informed, they can be trusted with their own government." I am asking the Mayor to put the lease on Channel 22 for one week so that our constituents might have a chance to review it. In fact, perhaps we should follow the example of President Obama's "sunlight before signing" on all of our non-threatening documents. He said to reduce bills through Congress and to the president before the public have the opportunity to review them, he will not sign any non-emergency bill without giving the American public an opportunity to review and comment on the White House website for five days.

I would like to clear up any misconceptions you may have about my position on Clearwater occupying the property at University Settlement Camp. One, I don't have a problem at all about them being tenants at University Settlement Camp. I think their "Next Generation Legacy Project is a wonderful concept. I haven't seen the curriculum but I feel sure they will teach our children the importance of sustainable environments. I disagree however with the way we do business. Clearwater is coming to our city with initiatives that our residents may not understand or even want. Jeff Rumpf, Executive Director has come to our workshop many times presenting to council, but he has not given a presentation to our constituents. A presentation is in order before we vote on this lease. Taxpayers should have the opportunity to address their concerns as they learn about the contributions this organization can make in our city.

Secondly, the lease we are embracing have a lot of vague legalese, much of it we don't understand. For example, the term "fair market rent". Most commercial leases, "fair market rent" is the standard for the rent payable during a renewal period. While most leases provide some general guidelines for how to determine "fair market rent", they typically do not set out exactly what is to be included or excluded in this determination. In this lease, we do not show any guidelines for determining "fair market rent". We are also under the impression that we have done a wonderful thing by having a breach of contract clause that says we have a dispute resolution process most leases attempt to resolve this inherent problem by proving that if the landlord and tenant cannot reach an agreement, the matter will be referred to arbitration. While this sounds like a simple solution, arbitration can be both expensive and unpredictable, especially if the terms of the lease are vague and subject to different interpretations. *Fire Productions Ltd. V. Lauro*, a recent court decision is a good example of the risks for both the landlord and the tenant when "fair Market Rent" is not clearly defined. The leased premises were in desperate needs of improvement, which the tenant paid for and completed. The term of the Lease was renewed once with no concern. It was when the tenant exercised its second option to renew the term for five more years that disagreement arose on the rent payable during the second renewal term. The arbitrator held that "fair market rent" was based on the value of the premises at the time of renewal, which included all improvements made to the premises by the tenant. I don't think we have addressed the renewal terms properly. We definitely have not used an equation of any kind for increasing the rent. The options for renewal should be reviewed. Further, a twenty year lease is too long especially when we have not discussed "market rent". Market rent is not the same as fair market rent. There is a difference between the two. We should consider our future colleagues and the predicament they will be facing with this renewal. The provisions in this lease are poorly designed. Poorly designed provisions often result in litigation or arbitration over the meaning of seemingly standard terms, which can cost both parties a great deal of time and money.

My last concern about the leasing of the property has to do with NY Parks Recreation & Historic Preservation Law 15.00 and 17.09. Under these statutes, it says state-owned parks in New York are protected by statute from conversion to uses other than recreation. The public benefit of municipal parkland in New York is often threatened by developers, municipalities and special interest groups seeking to change park's recreational use through a process called park alienation. The recreational use of municipal parkland is protected under the "public trust doctrine," and conversion to non-park use can only be done with explicit permission from the New York State Legislature. "Parkland acquired with state

funds may not be sold, disposed of, or used for non-park purposes without the authority of an act of the State Legislature, which shall provide for the "substitution of other lands of equal environmental value and fair market value and reasonably equivalent usefulness. I would like our attorney to look into these laws to make sure we are not offending them. It's better to be safe than sorry.

I am also asking the mayor to write a letter to the Governor requesting that this park be given to Beacon as a gift. If our tax dollars are going to use in any way to preserve this property I think we should own it.

Last year, we discussed the use of the park and the public at length. We agreed that the public should get more time at the pool this year. It seems as if we have forgotten that we would give more time. Can this be adjusted to give the public more public time?

Finally, there is a recreation fund that developers contribute to, I would like to know how much is in this fund and why not use some of the money for swings at River Front Park and expand our playground program to include more children. We were the party that was going to make children a priority yet we have cut our recreation programs tremendously. This is difficult time financially for families. Family vacations will not be taken - private camps will not be attended because people just can't afford them. Let's take a look at the various programs in the city and come up with a plan to accommodate more than a 125 of our 4000 plus children.

Council Member Leake

Good Evening, and Thank you for being here tonight

1. Clearwater was tabled, will we discuss at Workshop next week? *Mayor Steve K. Gold explained that it is an administrative issue and the scheduled work that was part of the contract that pertain to major repairs, Clearwater has requested that we certify that we have done the hard look and the analysis to find out the value of that work. So what Clearwater would like is to reevaluate the work to see if more or less work was completed. No changes in the contract, it is just administrative issues to work out.*
2. Constituents would like to see the complete contract with Clearwater prior to voting on it, and would like to see it on the Website.
3. With regards to Talbot and Orchard and the constituents that have been affected by the sewage back up in their homes. The problem was temporarily rectified, and Mr. McCollum gave a very good report on that. The constituents in that area should be notified of to what Mr. McCollum did. There are names and addresses that are available to the person that will send out information regarding this issue.
4. The Officer on the bike is doing a terrific job, however I know he cannot be there twenty-four / seven. Had several complaints from business on Main Street with customers leaving a business and to have to dodge bicycles on Main Street sidewalks, which driving bicycle on sidewalks is against the law.

Council Member Casale

1. I would like to take this opportunity to thank the Tioronda Garden Club for all their hard work in beautifying the City. The flowers look great.
2. I also would like to thank the volunteers who cleaned up all the debris along the railroad tracks on the east end. The support of volunteers like these helps us to keep an attractive city.
3. I would like to ask the Administrator we are behind again, according the City Charter to get the previous year audit to the Council Members. *Meredith Robson stated that the auditors actually*

forwarded the draft financial statements in time, there are some items that the City Finance Department have to complete, that we have not had the opportunity to complete

4. What is the status is of the cameras? There has been illegal activity on Main Street such as muggings, etc. *Meredith Robson stated that she did get the proposal in for the new company and we have had several questions that need to be answered.*
5. I would like to thank the Mayor and Roger Akeley from the Dutchess Co. Department of Planning, because the Mayor wrote a letter asking for a bus stop on Eliza Street for the Senior Citizens that reside at Hamilton Fish Complex. The Mayor has notified the Council, that Mr. Akeley has agreed and a bus stop will be there for our seniors.
6. Requested that the Absentee Landlord Law be brought back to workshop as some of the people that own buildings that nothing is being done with are not being governed by this law. Because they do not have tenants so they are not paying a registration fee and they should be as the City does not want vacant buildings not being cared for. Mr. Kelly stated that it is the enforcement of the law that is the issue.

Council Member Kelly

Attended the Memorial Day Service as well as marched in the parade and it was a great honor to recognize the men and women who have given the utmost for all Americans to enjoy the freedom that we take for granted

Rental Property Fee: Suggested to a constituent to start a coalition to lobby the City of Beacon Council against future fees. The Absentee Landlord Law was passed not to gain revenue but for the absentee landlord to be held responsible for any building in Beacon that is owned by them to be cared for. A year later during budget the Council decided to attach fees to landlords. All landlords that do not occupy the building have to register and pay a fee. Anyone interested in forming a Landlord Association, please contact me at ckellybeacon@yahoo.com. I would be happy to facilitate this organization, as we need to hear from constituents in the community during budget time.

Council Member Pasti:

On Saturday I had the pleasure of attending the Picnic in the Park sponsored by the Beacon Institute for Rivers and Estuaries outside its new public information center at Dennings Point. The Beacon Institute has scheduled a series of summer events to take place at the new facility, and residents are encouraged to make use of the free public programs being offered there. During this time when many public programs have been forced to reduce their offerings or hours, it is good to know that Beacon has a number of non-profit organizations like the Beacon Institute that are able to provide programs for our residents free or charge or at a very low cost.

This week there are some important meetings and other events taking place in Beacon and I want to use this time to remind residents of these events:

First, on Wednesday June 3rd: University Settlement Camp Update

A public meeting has been scheduled to gather public input with regard to the University Settlement Camp Master Plan. The meeting takes place beginning at 6PM at the Memorial Building. For those who cannot attend the meeting, a website has been set up to provide residents, officials, and other stakeholders with timely information about the developing master plan for the USC property. The website can be accessed through the City of Beacon website.

On Thursday, June 4th:**Beacon of Hope Community Fund Meeting**

The Beacon of Hope Community Fund will hold its June meeting at 7PM at City Hall. At this meeting we'll be discussing community responses to the flyer that was posted around Beacon, and finalizing plans to officially launch this new Fund during the summer months.

On Sunday, June 7th:**River Day Schedule Update**

River Day comes to Beacon on June 7th, starting with a Festival at Beacon Point Park beginning at 2PM and the arrival of boats around 5-6PM. The flagships will stay in Beacon/Newburgh on Monday, June 8th and the morning of Tuesday, June 9th for educational programs. I understand that there will be an Information Table set up at the Park for people who are interested in helping with this event. Because of the large number of people expected, volunteers may be needed to help run errands and other tasks. Beacon 2009 Calendars will also be available for sale at the Information Table. If you are interested in volunteering, you can contact Denis White, the City of Beacon and Newburgh's new Quadricentennial Coordinator or Mark Price, the City's Recreation Director, at City Hall.

City Attorney: Richard Wolf

First Meeting of Month – City Attorney to submit a report - *No report submitted*

City Administrator: Meredith Robson

1. Tim Dexter, Randall Williams and I just completed a four day Pace University Land Use Law Center Training Program that covered a variety of issues from affordable housing to zoning to sustainable development.
2. I have continued working on a variety of grant applications with our engineer and grant writer.
3. The USC stakeholder meeting was held recently and the public meetings are coming up this month. I suggest folks look at our website which will link to our consultant's website to get full information on the progress of this work.
4. I am continuing discussions with our Finance Director, Auditor, and Financial Advisor on our accounts to assess what funds may be available. This has taken a long time because we've had to research old bond ordinances and other information, and discuss this with our Auditor and Financial Advisor to determine how we can utilize these funds.

Mayor Steve K. Gold

An event that the City of Beacon is also having is Art along the Hudson. This is for advertising for the seven cities along the Hudson, and Beacon is one of them. It was discussed where these brochures would be available, two to mention is NYS Thruway and Grand Central Station. We will get a lot of expose for second Saturday and all the other events that are held in Beacon.

There have been some problems on Main Street at night, and we will have a patrol car shuttling up and down Main Street from 11pm – 3am, for a period of a couple of months during the summer.

Would like to thank the three veterans organizations for the Memorial Day Event that took place. In addition, would like to thank the Highway Department for the flags that were displayed

Attended the High School parenting night, and answered questions.

Regarding owning the Park the City would have to pay between forty and fifty thousand dollars per year for school taxes. Like when the state took over the reservoir, City of Beacon no longer has to pay taxes on that either.

Regarding the Homestead and Non-homestead, would like to remind the public that in January of 2008, when this administration took office, we discovered several months later, that prior years from this administration, there was an inequity there was a greater tax burden placed on the non-homestead (commercial real estate) owners and the residential were paying less. This went back as far as ten years. The worst year was 2007. The homeowners paid zero percent tax increase. There was about six hundred thousand dollars and maybe a little more than that was assessed to commercials as opposed to real estate. Had the assessment been correct going back for a period of time at least for 2007, the residential tax increase for the previous year for residential would have been twelve percent. When this was discovered we went immediately to the public and informed everyone that the commercial properties have been overcharged and residential was being undercharged. In 2007, the six hundred thousand dollars, if the City was to give that money back to the commercials, which would be wonderful to do, then what would happen is that the residential would have to come up with six hundred thousand dollars. Take into consideration for every seventy five thousand dollars represents one percent tax increase. So that equates to just for 2007 an increase of twelve percent. If the City was to address that, the city would have to increase taxes by absorb anent amount. Lawyers have looked into this situation, it is a very unfortunate situation, but we believe the City is not liable to have to return the money. So the taxes in 2009 that we did for 2008 for the first time we are accurate, for the commercials, in fact they did not have to pay any tax increase. The residential paid eight and one half percent increase.

ANNOUNCEMENTS

Abilities Beyond Disabilities are not ready to pursue their project.

BUDGET AMENDMENTS

Amend the General Fund Balance for the Attorney expense for the Hiddenbrooke Property (Code: A1420.450422) in the amount of \$58,441. These funds are required to pay Zarin and Steinmetz for legal services through March 31, 2009.

Motion To Amend the General Fund Balance for the Attorney expense for the Hiddenbrooke Property (Code: A1420.450422) in the amount of \$58,441. These funds are required to pay Zarin and Steinmetz for legal services through March 31, 2009, by Council Member Kelly, Second by Council Member Pasti.

On a Roll Call: Council Member Leake – Yes, Council Member Kelly – Yes, Council Member Casale – Yes, Council Member Pasti – Yes, Council Member Fredericks –Excused, and Mayor Steve Gold – Yes.

All presented voted in favor of this Budget Amendment.

PUBLIC COMMENTS: On any item on any issue you would like to discuss. Maximum of five minutes to speak.

Clark Gebman – Wilson Street – Was not pleased with the approval of the Budget Amendment

Ron Ray – City of Beacon – Announcement that the NYS is giving the Court Officers Civil Service Test. If interested visit the homepage of New York State.

CHECK LIST: \$ 161,061.32

NEXT WORKSHOP – June 8, 2009

NEXT COUNCIL MEETING – June 15, 2009

ADJOURNMENT: Motion by Council Member Kelly, Seconded by Council Member Pasti. All in Favor.

Respectfully submitted,

Colleen Swift

Executive Assistant to Mayor Steve K. Gold

Date: July 13, 2009 Date Approved: July 20, 2009